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**MAILED**  
**APR 21 2010**  
**OFFICE OF PETITIONS**

In re Application of :  
Andrew T. Wilson :  
Application No. 10/684,167 : **DECISION ON PETITION**  
Filed: October 10, 2003 :  
Attorney Docket No. 5038-293 :

This is a decision on the petition, filed December 28, 2009, which is being treated as a petition under 37 CFR 1.181(a) to Withdraw Holding of Abandonment.

The petition under 37 CFR 1.181(a) is **GRANTED**.

The application was held abandoned for failure to timely reply to the decision by the Board of Patent Appeals and Interference rendered on September 22, 2009.

The petitioner states that a request for rehearing within two months of the date of the original decision of the board (September 22, 2009), was timely submitted on November 23, 2009 (November 22, 2009 being a Sunday). To support this assertion, the petitioner has submitted a copy of the reply, along with a copy of the Electronic Acknowledged Receipt with a date of November 23, 2009. A review of the Office records indicates receipt of the above.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 2832 for appropriate action by the Examiner in the normal course of business on the reply received November 23, 2009.

/KOC/  
Karen Creasy  
Petitions Examiner  
Office of Petitions